



## **Class Attendance Sheet**

Class Name: **INTRO TO THE DIVERSITY PERFORMANCE INITIATIVE**

Start Date: **05/01/1997**

Locator #: **0000019064**

Instructor: **TROY JULIUS**

Location: **, BRECON**

<b>Name</b>	<b>Employee #</b>
ACHBERGER, KENNETH	17409
ADDISON, CURTIS B	17423
ALLEN JR, ROBERT L	17448
ANDREWS, MATT D	17494
ATKINS, ROBERT C	17536
BARNES III, VERNON R	17626
BLEVINS, KIM A	17802
BRANTLEY, BILLY	17905
BRITTON, GERALD L	17946
CARMACK, DANIEL L	18174
CARTER, RODNEY L	18203
CHAPMAN, EDWARD	18237

**Class Attendance Sheet**

CUTSINGER JR, RICHARD D	17782
ESPELAGE, MARGARET S	23030
FLEEK, MILTON L	25058
GATES, JAMES G	26743
GODDARD, DAVID R	28639
HALLER, DONALD E	32125
HALLER, TAMMY S	85880
HARDIN, TERRY C	32900
HELSINGER, CRAIG E	35772
HON, JOHN A	39030
HOOK, LISA J	39120
JOHNSON, KENNETH D	42153
JULIAN, MICHAEL A	42857
LEE, JAMES A	48622
LOHNER, THOMAS J	18440
MARTIN, ANTHONY	52205

**Class Attendance Sheet**

MESSER, KATHERINE M	56239
MICKEY, LANCE A	56725
MILLER, JAMES D	57015
NEIDLINGER, GLENN L	60060
PARKER, RONALD B	62561
PERRY, TIMOTHY C	63350
PFAFFINGER, TED R	63665
PLATZ, TONY J	64120
RAUCH, PAUL W	65990
RHODES, JAMES C	67070
ROSSER, ERIC E	69815
SHEPHERD, MONTGOMERY L	76095
SHORT, ALBERT G	76342
SIBCY, ERIC S	76435
STENGER, DAVID A	80760
STEWART, CHARLIE L	81240

**Class Attendance Sheet**

STRAUB, BILLY J	82123
TALLARIGO, JAMES A	83463
TEDESCHI, TED A	84063
TOLBERT, TODD D	84975
TROTTA, MICHAEL G	85317
WALLACE, KENNETH C	87176
WATSON, GOLDEN M	87935
WHITLEY, STEVEN G	90085
WILSON, WILLIAM P	91584
WRIGHT, NEWTON	92997

**Number of Participants      54**

Instructor Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## **Class Attendance Sheet**

10/16/02

Please return to Terri Anacker, WP672. Thank you.

CONFIDENTIAL  
CIN046732



## **Class Attendance Sheet**

Class Name: **DIVERSITY PROFILE**  
Start Date: **10/21/1998**  
Locator # **0000042425**  
Instructor: **PERRIANN ALLEN**  
Location: **BRECON**, CINCINNATI

<b>Name</b>	<b>Employee #</b>
BRANTLEY, BILLY	17905
ENGEL, MICHAEL P	22745
HAMILTON, MYRON V	32246
HARDIN, TERRY C	32900
HEIMKREITER JR, JERRY A	35322
JULIAN, MICHAEL A	42857
LOHNER, THOMAS J	18440
MARTIN, ANTHONY	52205
SHORT, ALBERT G	76342
SIBCY, ERIC S	76435
STENGER, DAVID A	80760
TALLARIGO, JAMES A	83463

10/16/02

Please return to Terri Anacker, WP672. Thank you.

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CIN046733

**Class Attendance Sheet**

TOLBERT, TODD D 84975

TURNER, ROBERT W 85535

WALLACE, KENNETH C 87176

WRIGHT, NEWTON 92997

**Number of Participants 16**

Instructor Signature: \_\_\_\_\_

Date: \_\_\_\_\_



## **Class Attendance Sheet**

Class Name: **DIVERSITY PROFILE**

Start Date: **12/03/1998**

Locator # **0000044369**

Instructor: **BILL SCHROEDER**

Location: , BRECON

<b><u>Name</u></b>	<b><u>Employee #</u></b>
ANGEL, IVAL	17496
BECKETT, KENNY L	17685
BLEVINS, KIM A	17802
CARTER, RODNEY L	18203
GOODMAN, RANDY D	28842
HETTERICK, RALPH T	37185
HUMBERT, WILLIAM M	40370
JONES, RODNEY V	42699
LOGAN, FRED L	19232
MADDIN, STEVE E	51338
MINNICH, MICHAEL H	57367
PFAFFINGER, TED R	63665



**Class Attendance Sheet**

RIDENER, ROGER T 67520

SHARPSHAIR, DAVID A 75806

SHEPHERD, MONTGOMERY L 76095

SMITH, WINSTON L 78961

TANNER, MATTHEW C 83542

WEISS, D M 89050

**Number of Participants 18**

Instructor Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## **Class Attendance Sheet**

10/16/02

Please return to Terri Anacker, WP672. Thank you.

CONFIDENTIAL  
CIN046737

## POLICY STATEMENT OR GENERAL DIRECTIVE

SUBJECT	NUMBER
SEXUAL HARASSMENT	540
MAJOR AREAS AFFECTED	DATE OF ISSUE
ALL EMPLOYEES	6-12-91
DISTRIBUTION	PAGE 1 OF 2
COMPANY POLICY MANUAL AND EMPLOYEE POLICY HANDBOOK	APPROVAL

POLICY

IT IS THE POLICY OF THE COMPANY TO PROHIBIT ANY KIND OF SEXUAL HARASSMENT AND TO IMPLEMENT PROGRESSIVE AND CONSTRUCTIVE DISCIPLINE IN ALL CASES OF SEXUAL HARASSMENT WHICH COME TO THE ATTENTION OF MANAGEMENT.

INTERPRETATION

Federal Equal Employment Opportunity Commission (EEOC) regulations explicitly forbid sexual harassment in the workplace -- whether by co-workers, supervisors, or managers. Accordingly, the EEOC and federal courts are holding employers stringently accountable for abusive activities when it is established that employers knew about the misconduct and did nothing to correct it. Under the federal guidelines, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

RESPONSIBILITIES

Every employee is responsible for refraining from conduct and/or comment which have the purpose or affect of sexually harassing other employees.

Each affected employee should report harassment or suspected harassment, to his or her supervisor or manager, or to the Manager, Personnel Relations Department.

Supervisory employees are responsible for enforcing Policy compliance, and for reporting all alleged harassment incidents to higher level management.

CONFIDENTIAL  
CIN000876

## POLICY STATEMENT OR GENERAL DIRECTIVE

SUBJECT		NUMBER
SEXUAL HARASSMENT		540
MAJOR AREAS AFFECTED		DATE OF ISSUE
ALL EMPLOYEES		6-12-91
DISTRIBUTION		PAGE 2 OF 2
COMPANY POLICY MANUAL AND EMPLOYEE POLICY HANDBOOK		APPROVAL

Department heads are responsible for assuring that their supervisory employees receive training in the proper application of this Policy, and for consulting with the Manager, Personnel Relations Department, regarding the investigation and appropriate disciplinary response in each case of alleged harassment.

The Manager, Personnel Relations Department, is responsible for assisting department heads in training supervisory employees and for consulting with department heads to maintain uniformity and equity of management responses throughout the Company to all allegations of sexual harassment.

The Senior Vice President, Customer and Corporate Services, is responsible for interpreting this Policy, for making necessary changes, and for distributing copies as indicated above.

Violation of this Policy will result in disciplinary action up to and including termination of employment.

REFERENCES

Proceure HR1.20.163 - "Administration of Employee Complaints  
Regarding Discrimination and Harassment"

CONFIDENTIAL  
CIN000877

SUBJECT	NUMBER
SEXUAL HARASSMENT	540
MAJOR AREAS AFFECTED	DATE OF ISSUE
ALL EMPLOYEES	12-08-93
DISTRIBUTION	PAGE 1 OF 2
COMPANY POLICY MANUAL AND EMPLOYEE POLICY HANDBOOK	APPROVAL

### POLICY

IT IS THE POLICY OF THE COMPANY TO PROHIBIT ANY KIND OF SEXUAL HARASSMENT AND TO PROMPTLY IMPLEMENT PROGRESSIVE AND CONSTRUCTIVE DISCIPLINE IN ALL CASES OF SEXUAL HARASSMENT WHICH COME TO THE ATTENTION OF MANAGEMENT.

### INTERPRETATION


The Federal Equal Employment Opportunity Commission (EEOC) regulations explicitly forbid sexual harassment in the workplace -- whether by co-workers, supervisors, or managers. Accordingly, the EEOC and federal courts are holding employers strictly accountable for abusive activities when it is established that employers know about the misconduct and do nothing to correct it. Under the federal guidelines, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

### RESPONSIBILITIES

Every employee is responsible for refraining from conduct and/or comments which have the purpose or effect of sexually harassing other employees. The Company will take every reasonable precaution to assure confidentiality in implementing progressive and/or constructive discipline in all cases of sexual harassment.

Any incident of sexual harassment should be immediately reported, by the employee to his/her supervisor. If the supervisor is the offending party or reporting the matter to the supervisor would be uncomfortable, the employee should immediately report the

SUBJECT	Exhibit "E" Page 2 of 2	NUMBER 540
SEXUAL HARASSMENT		DATE OF ISSUE 12-08-93
MAJOR AREAS AFFECTED		PAGE 2 OF 2
ALL EMPLOYEES		APPROVAL 
DISTRIBUTION	COMPANY POLICY MANUAL AND EMPLOYEE POLICY HANDBOOK	

harassment to Kathy Meinke, 287-1375, or Joe Kraus, 287-2545, in Human Resources. All employees participating in the subsequent investigation will be protected against any form of retaliation.

Supervisory employees are responsible for enforcing Policy compliance, and for reporting all alleged harassment incidents to higher level management and Kathy Meinke, 287-1375, or Joe Kraus, 287-2545, in Human Resources.

Supervisory employees can be held personally liable if found to have engaged in sexual harassment.

Department heads are responsible for assuring that their supervisory employees receive training in the proper application of this Policy, and for consulting with the Manager, Employee Relations, Safety & Health Department, regarding the investigation and appropriate disciplinary response in each case of alleged harassment.

The Manager, Employee Relations, Safety & Health Department, is responsible for assisting department heads in training supervisory employees and for consulting with department heads to maintain uniformity and equity of management responses throughout the Company to all allegations of sexual harassment.

The Vice President, Human Resources, is responsible for interpreting this Policy, for making necessary changes, and for distributing copies as indicated above.

Violation of this Policy will result in disciplinary action up to and including termination of employment.

#### REFERENCES

Procedure HR1.20.163 - "Administration of Employee Complaints Regarding Discrimination and Harassment"

CONFIDENTIAL

# Sexual Harassment Policy

Cinergy

Dec. 1, 1995

Exhibit "F"

Sexual harassment is against the law. When it occurs, both the company and the guilty party can be penalized.

Sexual harassment is also a violation of Cinergy policy. If sexual harassment is alleged, and by thorough investigation found to be true, we'll take appropriate disciplinary action, which may include discharge.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors and verbal or physical conduct of a sexual nature if:

- ♦ submission is either explicitly or implicitly a condition of employment, or
- ♦ submission or rejection is used as the basis for employment decisions (such as promotions, raises, job assignments, etc.), or
- ♦ sexual harassment interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

As an employer, we are responsible for the actions of our agents and supervisory employees, even if we specifically forbid sexual harassment. We are also responsible even if we are unaware of the individual's actions.

If sexual harassment occurs between coworkers who don't have a supervisory relationship, the company is responsible if it or its supervisor know or should have known of the problem. The company can

avoid penalties only if we can show immediate and appropriate corrective action was taken.

Cinergy may even be responsible for the actions of non-employees if we or our agents or supervisors know or should have known of the conduct and fail to take quick action.

To prevent sexual harassment and avoid serious penalties for both the company and its employees, we will take the following steps:

- ♦ This policy will remain posted on all company bulletin boards designated for government postings.
- ♦ ~~Sexual harassment and our policy forbidding it will be discussed at appropriate staff meetings, managers' meetings, etc.~~
- ♦ Agents and supervisory employees will be informed of the potential for liability, both for the company and for themselves, if they are guilty of, have knowledge of, or allow sexual harassment in the workplace.
- ♦ Employees will be informed of their right and obligation to report sexual harassment or to address related questions to the Human Resource Compliance Services Department at 287-2858.

\_\_\_\_\_  
Employee's Name

\_\_\_\_\_  
Date

CONFIDENTIAL  
CIN000880

**INTERNAL CORRESPONDENCE**

To: All Employees

From: Jerry W. Liggett, Human Resources Strategy *JWL*

Subject: E-Mail/Voice Mail/Internet Policy

Date: July 9, 1998

**CINERGY.**

Attached is the revised E-Mail/Voice Mail/Internet policy. This policy has been revised to address and clarify some recurrent issues regarding use of these systems. Everyone should review the revised policy, and non-union employees should place it in their current employee handbooks.

Also, I should reemphasize that it is very important for all of us to use good judgment in creating, distributing and retaining E-mail, voice mail and Internet documents and messages. We should not create E-mail, voice mail or Internet documents or messages that are inaccurate or inappropriate in any respect. In spite of safeguards to reduce the likelihood of unauthorized access to our systems, documents and messages can be reproduced and redistributed to an unintended audience without the author's knowledge or consent. Therefore, to avoid costly or embarrassing disclosures, please be careful about what you write or say and regularly review your E-mail, voice mail, and Internet documents and messages for compliance with company policies, including the records retention policy.

Should you have any questions about the policy, please contact your supervisor or Don Bogard, John Polley or Rosemary Grieme in the Legal Department.

Attachment



## ***E-Mail/Voice Mail/Internet***

Cinergy uses electronic mail (E-mail), voice mail, and the Internet to communicate to employees, contractors, consultants, and others outside Cinergy. It is the responsibility of each user to comply with Company policy regarding these communication tools.

***Use.*** E-mail and voice mail are valuable tools, but if not used properly, these Company tools can create problems for Cinergy and its employees and may result in monetary losses or other sanctions. Cinergy promotes a positive, productive work environment, but to avoid potential legal liability, all Cinergy employees and contractors must be aware of the legal implications of the use of these technologies. E-mail, voice mail and Internet access are provided to employees for business purposes. Improper use includes, but is not limited to the following:

- Messages and images that are defamatory, abusive, obscene, profane, sexually oriented, threatening, or racially/ethnically offensive.
- Chain letters (a group mailing with a request to recipients to continue distribution to others.)
- The collection and/or transmission of material in violation of law.

Harassment; transmitting copyrighted, proprietary, confidential, trade secret, or privileged information or material; and other acts are just as illegal when done electronically as any other way. Sound judgment should always be used in creating a document, including a voice mail document. If you have any questions about any documents you might create, please contact the Legal Department.

Documents should not be created that are inaccurate or careless or that contain information that is inappropriate for a written hard copy document. In litigation or rate case proceedings, information contained in computer systems is subject to discovery or disclosure to the same extent as written hard copy documents. If Cinergy becomes involved in investigations, litigation, rate hearings, or other proceedings that may necessitate the review or production of Cinergy's records, Cinergy may be required to produce E-mail and voice mail messages.

Messages should be transmitted only to individuals who have a business need to receive them. You should construct and use distribution lists carefully and consider the sensitivity of the information being sent. This is especially true when you are sending messages outside the Cinergy network. Since a recipient can transfer your voice mail or E-mail message to another person, when a message is for the recipient only, you should let the recipient know that the message should not be transferred.

***Retention.*** Users should follow the retention periods contained in the Corporate Record Retention Manual for all E-mail and voice mail messages. If you need to create a Company record of an electronic message, it is your responsibility to comply with

retention schedules, which may require conversion from electronic to paper media for retention purposes.

**Voice mail:** Voice mail will not be backed up after the listener deletes the message. In all cases, it will be backed up only for 10 days, so you should take precautions if you are out of the office. After a message is deleted by the user, it is not retrievable.

**E-mail:** Cinergy's computer system does not have unlimited capacity to store information. You should not use E-mail when voice mail would be equally effective. You should delete your E-mail messages on a regular basis to keep your files updated.

Cinergy backs up and retains E-mail on a daily basis. Remember, if the sender deletes a message but the recipient does not, the message will be backed up for the duration of the other items on the backup tape, perhaps for months. All employees, whether sender or receiver, should be conscious of deleting messages in a timely manner. Remember, "delete" does not mean "gone" in electronic media. Technology exists that can recover information even though it has been deleted and the file or backup tape has been purged or overwritten several times, so always be cautious in creating documents.

**Privacy.** The use of E-mail and voice mail is changing and growing. These technologies, through the use of passwords and mailboxes, often create a false sense of security about the confidentiality of information. When you use Cinergy's E-mail, voice mail, and/or Internet, you waive your right to privacy with regard to messages sent on those systems. You consent to monitoring, access and disclosure of your E-mail, voice mail and Internet usage by authorized Cinergy employees for any purpose. For example, Cinergy staff may access electronic systems in the normal course of systems administration or in the course of problem resolution. Your supervisor is responsible for changing your voice mail message and accessing your messages if you are absent unexpectedly or for an extended period of time (for example, due to illness). When electronic transmissions are sent to locations outside the Cinergy network, you should not make any assumptions regarding privacy.

This policy must be strictly adhered to so that the interests of Cinergy and its employees are preserved and the rights of third parties are protected. Employee privacy issues and Cinergy's business need-to-know may conflict, but all users of Cinergy's electronic systems must be aware that the systems and information created are Cinergy's property, which can be accessed by Cinergy and outside parties in litigation or investigations.

**EMPLOYEE'S ACKNOWLEDGMENT**

I have received a copy of the Cinergy Corp. Employee Handbook and supplement entitled "E-Mail/Voice Mail/Internet Policy" (dated July 9, 1998), and "The Workplace Harassment Policy" (dated February 16, 2000). I recognize that it is my responsibility to familiarize myself with Cinergy's rules and policies contained in these documents, and to be guided by them.

NAME (PRINT): \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

Employment at Cinergy Corp. and its subsidiaries is soundly based on a policy of merit and Equal Employment Opportunity (EEO) for all qualified persons. Therefore, the purpose of this memorandum is to reaffirm our commitment to the principle that all employee decisions shall be made on a nondiscriminatory basis; and without regard to an applicant's or employee's race, gender, age, color, religion, disability status, sexual orientation, marital status, or ethnic, national or Appalachian regional origin, except where such a factor is a bona fide occupational requirement.

Affirmative Action Programs have been developed and are in effect to assure full implementation of our EEO Policy and integration of the Company's workforce at all levels. Affirmative efforts are also being made to increase our employment of individuals with disabilities, as well as Vietnam Veterans and disabled veterans.

The following will be the rules under which the Affirmative Action Program is implemented and operated:

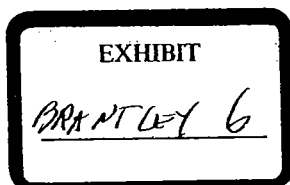
1. The Company will recruit, hire and promote employees without regard to an applicant's or employee's race, gender, age, color, religion, disability status, sexual orientation, marital status, or ethnic, national or Appalachian regional origin, except where such a factor is a bona fide occupational requirement.
2. The Company is committed to the principle of Equal Employment Opportunity relative to all terms and conditions of employment.
3. The Company will ensure that promotional decisions are in accord with principles of Equal Employment Opportunity by imposing only valid requirements for promotional opportunities.
4. The Company will ensure that all other personnel actions such as compensation, benefits, transfers, layoffs, returns from layoff, training, education, social and recreational programs will be administered on a nondiscriminatory basis.

Suzane Bradley, General Manager, Staffing and Diversity Strategy, has been charged with overall responsibility for implementation of the EEO Policy and Affirmative Action Programs at Cinergy Corp. and its subsidiaries.

All Management and supervisory personnel have a continuing responsibility to comply fully with the Company's EEO Policy and to implement the Affirmative Action Programs within their respective areas of responsibility.

Individuals who desire to review our Affirmative Action Programs may contact Rose Abi Radi, Manager, Compliance Services, at (513) 287-2662.

James E. Rogers  
President and CEO, Cinergy Corp.



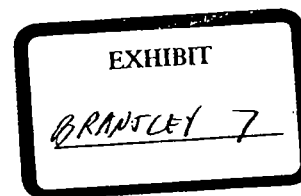
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## Affirmative Action Statement

Cinergy

July 1, 1999



At Cinergy, our policy is to provide equal opportunities to everyone. All employees must make sure this standard is met in their area of responsibility.

This policy applies whenever we're recruiting, selecting, placing, promoting, training or transferring employees. It applies to rates of pay and all other terms and conditions of employment. Decisions such as these must not be based on an individual's race, religion, color, national origin or ancestry, age, sex, handicap or disability, or Vietnam veteran status.

We invite all applicants and employees who believe themselves to be individuals with handicaps or disabilities, disabled veterans or veterans of the Vietnam Era to *voluntarily* identify themselves. A decision not to provide this information will in no way subject any applicant or employee to adverse treatment. All information will be kept strictly confidential and will be used only in accordance with the Affirmative Action guidelines in Section 503 of the Rehabilitation Act of 1973, as amended, and Section 2012 of the Vietnam Era Veteran's Readjustment Assistance Act of 1974, as amended.

Our company is an Equal Employment Opportunity employer that complies fully with applicable laws and executive orders. Manager, Compliance Services **Dale Timmester**, (513) 287-2541 will answer questions, make suggestions and address concerns to assure this policy and the law are followed.

Cinergy's affirmative action programs may be viewed in Compliance Services of the Human Resources department by any applicant or employee during normal business hours – Monday through Friday, 8 a.m. to 5 p.m.

A handwritten signature in cursive script that reads "James E. Rogers".

James E. Rogers  
President and Chief Executive Officer



## Sexual Harassment Policy

### Cinergy

July 1, 1999

Sexual harassment is against the law. When it occurs, both the company and the guilty party can be penalized.

Sexual harassment is also a violation of Cinergy policy. If sexual harassment is alleged, and by thorough investigation found to be true, we'll take appropriate disciplinary action, which may include discharge.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors and verbal or physical conduct of a sexual nature if:

- Submission is either explicitly or implicitly a condition of employment, or
- Submission or rejection is used as the basis for employment decisions (such as promotions, raises, job assignments, etc.), or
- Sexual harassment interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

As an employer, we are responsible for the actions of our agents and supervisory employees, even if we specifically forbid sexual harassment. We are also responsible even if we are unaware of the individual's actions.

If sexual harassment occurs between coworkers who don't have a supervisory relationship, the company is responsible if it or its supervisor know or should have known of the problem. The company can avoid penalties only if we can show

immediate and appropriate corrective action was taken.

Cinergy may even be responsible for the actions of non-employees if we or our agents or supervisors know or should have known of the conduct and fail to take quick action.

To prevent sexual harassment and avoid serious penalties for both the company and its employees, we will take the following steps:

- This policy will remain posted on all company bulletin boards designated for government postings.
- Sexual harassment and our policy forbidding it will be discussed at appropriate staff meetings, managers' meetings, etc.
- Agents and supervisory employees will be informed of the potential for liability, both for the company and for themselves, if they are guilty of, have knowledge of, or allow sexual harassment in the workplace.
- Employees will be informed of their right and obligation to report sexual harassment or to address related questions to *Dale Timmester, (513) 287-2541 in the Human Resource Compliance Services Department.*

**James E. Rogers**  
President and Chief Executive Officer

## INTERNAL CORRESPONDENCE

To: All Employees  
From: Jim Rogers  
Subject: Workplace Harassment Policy  
Date: 02/16/2000

**CINERGY.**

Cinergy is committed to providing an inclusive, business-oriented environment where everyone deserves respect. To honor this commitment, I am including with this memo Cinergy's new Workplace Harassment policy.

The Workplace Harassment policy reflects Cinergy's commitment to fostering a productive work environment free of sexual harassment and other conduct that is inappropriate and offensive. Our company promotes equal employment opportunity not merely because it is a legal requirement but because it is good business and the right thing to do. Therefore, we strive to implement programs and practices that allow us to attain the benefits of having a diverse workforce.

By year end, all employees should receive training regarding this policy, which expands and replaces our Sexual Harassment policy and supplements the Workplace Violence policy.

If you have questions about this policy, please contact Dale Timmester, Compliance Services, (513) 287-2541.

Attachment



*Workplace Harassment*

Cinergy will maintain a professional, business-oriented workplace. Cinergy expects that all of its employees treat with respect customers and co-workers and all other persons you meet in the course of business.

*Harassment.* Harassment may include inappropriate conduct that is based on gender, race, color, religion, age, disability, medical condition, pregnancy or sexual orientation or ethnic, national or Appalachian origin, or veteran, citizenship, marital or family status or similar reasons that interfere with an employee's work performance. Harassment can include intimidating, hostile, or offensive conduct such as unwelcome comments, taunts, slurs, jokes, threats, insults, cartoons or graffiti directed at employees or other persons you meet in the course of business. In many cases, harassment is illegal. If harassment occurs, the Company and the harassing employee may be financially responsible. The offender also will be subject to appropriate disciplinary action including discharge.

*Sexual Harassment.* Harassment based on sex or gender can include:

- unwelcome sexual advances or requests for sexual favors
- sexually suggestive comments or jokes of a sexual nature or derogatory comments about gender
- sexually oriented kidding or teasing
- circulation or display of sexually suggestive objects, calendars, cartoons, pictures or computer material
- graphic or degrading comments about an individual's appearance
- patting, hugging, touching, pinching or brushing against another person's body
- whistling, cat calls, offensive gestures or leering.

*Required Action.* To prevent or promptly address harassing behavior:

- This policy will be reviewed at new employee orientation.
- This policy will remain posted on all Company bulletin boards designated for government postings.
- This policy will be discussed at appropriate staff meetings, training sessions, etc.